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Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JERRI L. BOON,	)	
	)	No. 3:09-CV-1353ST
Plaintiff,	)	
	)	AMENDED COMPLAINT FOR
v.	)	WRONGFUL DISCHARGE AND
	)	EMPLOYMENT DISCRIMINATION
UNION PACIFIC RAILROAD	)	
COMPANY, a foreign corporation,	)	
	)	JURY TRIAL REQUESTED
Defendant.	)	

Plaintiff alleges as follows:

1. Plaintiff (Boon), is a female citizen born 9/24/53.
2. Boon was employed by the defendant from March of 1974 until she was placed on indefinite leave without pay June 20, 2008. She is a Locomotive Engineer.
3. Defendant, Union Pacific Railroad Company (the Company) is a foreign corporation engaged in the railway transportation business in Oregon.
4. All administrative exhaustion requirements have been met and this action is timely filed.

1. AMENDED COMPLAINT

5. Boon filed several administrative charges of age and sex discrimination against the Company. She filed administrative charges of employment discrimination with the Oregon Bureau of Labor and Industries in November of 2004, August 2008, and most recently in May of 2009. Boon also complained internally about sex and age discrimination. More than sixty days have passed since she filed charges of age discrimination.

6. Boon is disabled in that she is regarded by the Company as having a mental impairment which interferes with her ability to work

7. On June 20, 2008 Boon was taken off work pending the completion of a what amounted to a fitness exam.

8. Through counsel, Boon presented the company with the results of a psychological evaluation indicating that she was fit to return to work on September 11, 2008.

9. Nevertheless, the Company has refused to return Boon to work.

10. The company in effect fired Boon for pursuing a right of public importance that belongs to her as an employee. She was fired for pursuing her right to be free of illegal age and sex discrimination.

11. Boon was treated worse than similarly situated younger employees by the Company.

12. Boon was treated worse than similarly situated males by the Company.

13. But for her age, Boon would not have been terminated.

14. Boon's gender was a substantial motivating factor for her termination.

15. The Company's perception that Boon has a mental disability was a substantial motivating factor in her termination.

WHEREFORE, Boon prays for judgment against defendant for:  
2. AMENDED COMPLAINT

1. Economic damages in an amount to be determined but not less than \$500,000;
2. Compensatory damages in an amount to be determined but not less than \$100,000;
3. Reasonable attorney fees as well as the costs and disbursements of this action;
4. Whatever other relief the court deems necessary and proper.

*/s/ Glenn Solomon*

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Glenn Solomon  
Attorney for Plaintiff